

09 FEB 1998

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Express Mail No.: EM 202 006 457 US



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

International Application of: ZENTGRAF *et al.*

Serial No.: 08/913,139

Group Art Unit: N/A

International Filing Date:

March 1, 1996

Examiner: N/A

Attorney Docket No.:
8484-029-999

For: ANTIBODIES ACTIVE AGAINST
A FUSION POLYPEPTIDE
COMPRISING A HISTIDINE
PORTION

RESPONSE TO NOTIFICATION OF MISSING REQUIREMENTS
UNDER 35 U.S.C 371 IN THE UNITED STATES
DESIGNATED/ELECTED OFFICE (DO/EO/US)

Assistant Commissioner for Patents
BOX PCT
Washington, D.C. 20231

Sir:

In response to the Notification of Missing Requirements Under 35 U.S.C. 371 in the United States Designated/Elected Office (DO/EO/US) mailed by the U.S. Patent and Trademark Office on October 17, 1997, Applicants submit the following documents to complete the filing for the above-identified application:

1. Petition for Extension of Time under 37 CFR § 1.136(a);
2. Executed Declaration and Power of Attorney signed by the inventors in compliance with 37 CFR 1.497(a) and (b);
3. Executed Verified Statement (Declaration) Claiming Small Entity Status in compliance with 37 CFR 1.9(f) and 1.27(b);
4. Return copy of the Notification of Missing Requirements Under 35 U.S.C. 371 in the United States Designated/Elected Office (DO/EO/US); and
5. Copy of Recordation Form Cover Sheet and Assignment filed concurrently.

Applicants believe no fee is due for filing this response. However, should the Commissioner determine otherwise, he is authorized to charge any underpayment or credit to Deposit Account No. 16-1150 for any matter in connection with this response which may be required. A copy of this sheet is attached.

Respectfully submitted,

Laura Coruzzi Reg No P43,341

Date February 9, 1998

for: Laura A. Coruzzi 30,742
Laura A. Coruzzi (Reg. No.)

PENNIE & EDMONDS LLP
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Enclosure



Express Mail No. EM 202 006 457 US First Class Mail ()
Date Mailed February 9, 1998
Ser. No. 08/913,139 Int'l Filed March 1, 1996
Inventor ZENTGRAF et al.
For ANTIBODIES ACTIVE AGAINST A FUSION POLYPEPTIDE COMPRISING A HISTIDINE PORTION

<input type="checkbox"/> Affidavit/Declaration	<input type="checkbox"/> Fee Address Indication Form
<input type="checkbox"/> Amendment	<input type="checkbox"/> Fee Calculation
<input type="checkbox"/> Application _____ pages	<input type="checkbox"/> Issue Fee Transmittal
Claims _____ Drawings	<input type="checkbox"/> Letter
<input type="checkbox"/> Appeal, Notice of	<input type="checkbox"/> Oral Hearing Req./Confirm.
<input checked="" type="checkbox"/> Assignmentsigned original	<input type="checkbox"/> Petition to Extend Time
<input type="checkbox"/> Brief (in triplicate)	<input type="checkbox"/> Pet. under 37 C.F.R. _____
<input type="checkbox"/> Declaration & Power of Attorney	<input type="checkbox"/> Power of Attorney
<input type="checkbox"/> Design Application	Associate _____ w/Revocation
<input type="checkbox"/> Disclaimer	<input type="checkbox"/> Sequence Listing w/Computer
<input type="checkbox"/> Disclosure Statement	Readable and Paper Copies
<input type="checkbox"/> w/refs. <input type="checkbox"/> w/o refs.	<input type="checkbox"/> Small Entity Statement
Drawings, Formal Sheets _____ Figures	<input type="checkbox"/> Status Letter
	<input type="checkbox"/> Transmittal Letter

Other: Recordation Form Cover Sheet + copy; return postcard

File No. 8484-029-999 Sender LAC/BBM/sml



Address: ASSISTANT COMM'ER FOR PATENTS
Box PCT
Washington, D.C. 20231

U.S. APPLICATION NO.

FIRST NAMED APPLICANT

ATTY. DOCKET NO.

FEB 09 1998
08/23.139

ZENTGRAF

5611

INTERNATIONAL APPLICATION NO. 8484029999

PENNIE & EDMONDS
1155 AVENUE OF THE AMERICAS
NEW YORK NY 10036-2711

OATH or Decl & fee due 11/17/97 Cof

5mo 3/1/98

DATE MAILED:

03/01/96 03/01/95

10/17/97

I.A. FILING DATE PCT/DE96/00369

PRIORITY DATE

NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)

1. The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as

a Designated Office (37 CFR 1.494),
 an Elected Office (37 CFR 1.495):

U.S. Basic National Fee.

Copy of the international application in:

a non-English language.

English.

Translation of the international application into English.

Oath or Declaration of inventors(s) for DO/EO/US. DEFECTIVE

Copy of Article 19 amendments.

Translation of Article 19 amendments into English.

The International Preliminary Examination Report in English and its Annexes, if any.

Translation of Annexes to the International Preliminary Examination Report into English.

Preliminary amendment(s) filed 0 SEP 1997 and _____.

Information Disclosure Statement(s) filed _____ and _____.

Assignment document.

Power of Attorney and/or Change of Address.

Substitute specification filed _____.

Verified Statement Claiming Small Entity Status. UNSIGNE

Priority Document.

Copy of the International Search Report and copies of the references cited therein.

Other:

2. The following items MUST be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

a. Translation of the application into English. Note a processing fee will be required if submitted later than the appropriate 20 or 30 months from the priority date.
 The current translation is defective for the reasons indicated on the attached Notice of Defective Translation.

b. Processing fee for providing the translation of the application and/or the Annexes later than the appropriate 20 or 30 months from the priority date (37 CFR 1.492(f)).

c. Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), identifying the application by the International application number and international filing date.
 The current oath or declaration does not comply with 37 CFR 1.497(a) and (b) for the reasons indicated on the attached PCT/DO/EO/917. UNSIGNED

d. Surcharge for providing the oath or declaration later than the appropriate 20 or 30 months from the priority date (37 CFR 1.492(e)).

3. Additional claim fees of \$ _____ as a large entity small entity, including any required multiple dependent claim fee, are required. Applicant must submit the additional claim fees or cancel the additional claims for which fees are due. See attached PTO-875.

ALL OF THE ITEMS SET FORTH IN 2(a)-2(d) AND 3 ABOVE MUST BE SUBMITTED WITHIN ONE MONTH FROM THE DATE OF THIS NOTICE OR BY 21 OR 31 MONTHS FROM THE PRIORITY DATE FOR THE APPLICATION, WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.

The time period set above may be extended by filing a petition and fee for extension of time under the provisions of 37 CFR 1.136(a).

4. Translation of the Annexes MUST be submitted no later than the time period set above or the annexes will be cancelled. Note processing fee will be required if submitted later than 30 months from the priority date.

5. The Article 19 amendments are cancelled since a translation was not provided by the appropriate 20 (37 CFR 1.494(d)) or 30 (37 CFR 1.495(d)) months from the priority date.

Applicant is reminded that any communication to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above. (37 CFR 1.5)

A copy of this notice MUST be returned with this response.

Enclosed: PCT/DO/EO/917 Notice of Defective Translation
 PTO-875

Vonda M. Wallace
Paralegal Specialist

FORM PCT/DO/EO/905 (September 1996)

Telephone: (703) 305-3736